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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/707,702	01/06/2004	TSUNG JUNG PAN		1701

40438 7590 01/23/2006

TSUNG JUNG PAN
33 CHICORY WAY
IRVINE, CA 92612

EXAMINER

BUI, HUNG S

ART UNIT	PAPER NUMBER
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2841

DATE MAILED: 01/23/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.		Applicant(s)	
	10/707,702		PAN, TSUNG JUNG	
	Examiner		Art Unit	
	Hung S. Bui		2841	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3 and 5-15 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-3, 4-15 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____. |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Priority

1. Acknowledgment is made of applicant's claim for foreign priority based on an application filed in Taiwan 092215809 on 09/01/2003. It is noted, however, that applicant has not filed a certified copy of the Taiwan 092215809 application as required by 35 U.S.C. 119(b).

Oath/Declaration

2. A new oath or declaration is required because it is not signed by the applicant.

Specification

3. The following guidelines illustrate the preferred layout for the specification of a utility application. These guidelines are suggested for the applicant's use.

Arrangement of the Specification

As provided in 37 CFR 1.77(b), the specification of a utility application should include the following sections in order. Each of the lettered items should appear in upper case, without underlining or bold type, as a section heading. If no text follows the section heading, the phrase "Not Applicable" should follow the section heading:

- (a) TITLE OF THE INVENTION.
- (b) CROSS-REFERENCE TO RELATED APPLICATIONS.
- (c) STATEMENT REGARDING FEDERALLY SPONSORED RESEARCH OR DEVELOPMENT.
- (d) THE NAMES OF THE PARTIES TO A JOINT RESEARCH AGREEMENT
- (e) INCORPORATION-BY-REFERENCE OF MATERIAL SUBMITTED ON A COMPACT DISC (See 37 CFR 1.52(e)(5) and MPEP 608.05. Computer program listings (37 CFR 1.96(c)), "Sequence Listings" (37 CFR 1.821(c)), and tables having more than 50 pages of text are permitted to be submitted on compact discs.) or

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REFERENCE TO A "MICROFICHE APPENDIX" (See MPEP § 608.05(a).

"Microfiche Appendices" were accepted by the Office until March 1, 2001.)

(f) BACKGROUND OF THE INVENTION.

(1) Field of the Invention.

(2) Description of Related Art including information disclosed under 37 CFR 1.97 and 1.98.

(g) BRIEF SUMMARY OF THE INVENTION.

(h) BRIEF DESCRIPTION OF THE SEVERAL VIEWS OF THE DRAWING(S).

(i) DETAILED DESCRIPTION OF THE INVENTION.

(j) CLAIM OR CLAIMS (commencing on a separate sheet).

(k) ABSTRACT OF THE DISCLOSURE (commencing on a separate sheet).

Applicant should include the PART LIST ON FIGURES (paragraphs 0049-0112) in an appendix at the end of the specification.

Claim Objections

4. The numbering of claims is not in accordance with 37 CFR 1.126 which requires the original numbering of the claims to be preserved throughout the prosecution. When claims are canceled, the remaining claims must not be renumbered. When new claims are presented, they must be numbered consecutively beginning with the number next following the highest numbered claims previously presented (whether entered or not). Misnumbered claims (5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15) have been renumbered (4, 5, 6, 7, 8, 9, 10, 11, 12, 13 and 14).

Claim Rejections - 35 USC § 112

5. Claims 1-3 and 5-15 (renumbered 1-14) are rejected as failing to define the invention in the manner required by 35 U.S.C. 112, second paragraph.

The claim(s) are narrative in form and replete with indefinite and functional or operational language. The structure which goes to make up the device must be clearly and positively specified. The structure must be organized and correlated in such a

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manner as to present a complete operative device. ***The claim(s) must be in one sentence form only. Note the format of the claims in the patent(s) cited.***

In claim 1, line 3, there is no antecedent basis for the "all-in-one-computer." Applicant could state, for example, "...with dual LCD monitors, the all-in-one-unit comprising two major parts, CASE A and CASE B, wherein CASE A includes.... ." In line 11, "raise card" should be corrected as "riser cards." In lines 11-13, applicant should clarify what is meant by "two PCI extension raise card/ PCI extension cable/PCI extension slot, two CPU heat outlet fans, three power supply inlet fans and three system heat outlet fans." It is not clear what components applicant is intending to claim and their specific incorporation into CASE A. In line 14, applicant should clarify the incorporation of the LCD monitor into CASE A. In line 16, there is no antecedent basis for "the first hard disk drive" or "the second hard disk drive." In line 18, "drive" should be "drives." In line 22, applicant should clarify which center is intended. There is no antecedent basis for "the system." Applicant should clarify the interrelation of the various fans. It is not clear which fans are providing each cooling function. In lines 24-26, applicant should clarify the structure intended by "also on upper panel are a set of holes that receives cold air for CPU." In line 26, there is no antecedent basis for "for CPU."

In claims 2-3 and 5-15 (renumbered 2-14), applicant should clarify what is meant by "a gadget according to claim 1." Claim 1 seems to define an "all-in-one unit."

In claims 2-3 are not further limiting. Applicant has not defined any additional structure.

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In claim 5, applicant should clarify where the "second hard disk drive rack" is mounted.

Claim 6 is not further limiting. Applicant claims the CD/DVD-ROM rack in line 5 of claim 1.

In claim 7, applicant should clarify the mounting of the "second CD/DVD-ROM rack."

In claim 8, applicant should clarify what is intended to be claimed. It is not clear what component is claimed or where it is mounted.

In claim 9, applicant should clarify the mounting of the fans relative to the fans claimed in lines 14-24 of claim 1.

In claim 10, applicant should clarify what is meant by a "printer set."

In claim 11, applicant should clarify what is meant by a "scanner set."

In claim 12, applicant should clarify what is meant by a "webcam set."

In claims 13-14, applicant should clarify what is intended to be claimed. Applicant has not claimed any additional structure or arrangement.

Claim 15 is not further limiting. Applicant claims CASE A and CASE B forming an all-in-one unit in claim 1.

Double Patenting

6. A rejection based on double patenting of the "same invention" type finds its support in the language of 35 U.S.C. 101 which states that "whoever invents or discovers any new and useful process ... may obtain a patent therefor ..." (Emphasis added). Thus, the term "same invention," in this context, means an invention drawn to identical subject matter. See *Miller v. Eagle Mfg. Co.*, 151 U.S. 186 (1894); *In re*

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Ockert, 245 F.2d 467, 114 USPQ 330 (CCPA 1957); and *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970).

A statutory type (35 U.S.C. 101) double patenting rejection can be overcome by canceling or amending the conflicting claims so they are no longer coextensive in scope. The filing of a terminal disclaimer cannot overcome a double patenting rejection based upon 35 U.S.C. 101.

7. Claims 1-3 and 5-15 are rejected under 35 U.S.C. 101 as claiming the same invention as that of claims 1-3 and 5-15 of prior U.S. Patent No. 10/707682. This is a double patenting rejection.

8. Claims 1-3 and 5-15 are provisionally rejected under 35 U.S.C. 101 as claiming the same invention as that of claims 1-3 and 5-15 of copending Application No. 10/707682. This is a provisional double patenting rejection since the conflicting claims have not in fact been patented.

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Kim et al. [US 6,142,593] discloses a docking station with adjustable guide rails;
- Provenzale [US 5,267,873] discloses an inter-box coupling between machine modules; and
- Krah [US 2005/0201047] discloses a web cam mounted on a portable computer.

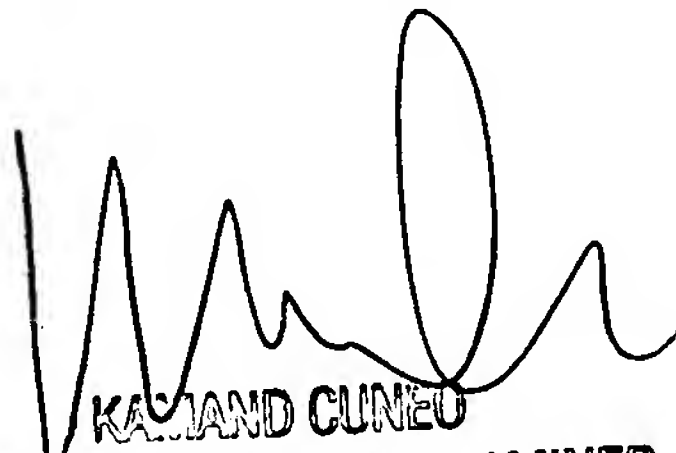
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10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hung S. Bui whose telephone number is (571) 272-2102. The examiner can normally be reached on Monday-Friday 8:30AM-6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kamand Cuneo can be reached on (571) 272-1957. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

1/12/06
Hung Bui
Art Unit 2841


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SUPERVISORY PATENT EXAMINER
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